

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:17-cv-00480-RJC-DSC**

**UNITED STATES *ex rel.* BRUCE
CARROLL, BRINGING THIS ACTION
ON BEHALF OF THE UNITED
STATES OF AMERICA, THE STATES
OF CALIFORNIA, COLORADO,
CONNECTICUT, DELAWARE,
FLORIDA, GEORGIA, HAWAII,
ILLINOIS, INDIANA, IOWA,
LOUISIANA, MARYLAND,
MASSACHUSETTS, MICHIGAN,
MINNESOTA, MONTANA, NEVADA,
NEW JERSEY, NEW MEXICO, NEW
YORK, NORTH CAROLINA,
OKLAHOMA, RHODE ISLAND,
TENNESSEE, TEXAS, VERMONT,
VIRGINIA, and WASHINGTON, THE
DISTRICT OF COLUMBIA, and THE
CITIES OF CHICAGO, NEW YORK,
and PHILADELPHIA, and the COUNTY
OF ALLEGHENY, PENNSYLVANIA,**

Plaintiffs,

vs.

**BSN MEDICAL, INC., and JOHN DOES,
1 through 100,**

Defendants.

Order

The United States and Relator, Bruce Carroll, pursuant to the False Claims Act, 31 U.S.C. § 3730(b)(1), and Rule 41(a) of the Federal Rules of Civil Procedure filed a Stipulation of Dismissal of Claims against Defendants (Doc. No. 50). Having read and considered the Stipulation and the papers on file in this action, it hereby **ORDERED** that:

1. Consistent with the terms and conditions of the Settlement Agreement executed by the United States, Relator, and BSN Medical, Inc.:


- (a) All claims and causes of action set forth in the *qui tam* Complaint shall be dismissed with prejudice as to Relator;
- (b) All claims and causes of action set forth in the *qui tam* Complaint and brought on behalf of the United States against Defendant BSN Medical, Inc. for the Covered Conduct, as that term is specifically defined in Paragraph D of the August 12, 2022 Settlement Agreement between the United States, Relator and BSN Medical, Inc., shall be dismissed with prejudice as to the United States; and
- (c) All other claims against BSN Medical, Inc. and all claims against any other Defendants shall be dismissed without prejudice to the United States.

2. The Court will retain jurisdiction to the extent necessary to enforce the terms of the Settlement Agreement.

3. The Clerk of the Court shall provide a copy of this Order to counsel for the Government, counsel for Relator, and counsel for the Defendant BSN Medical, Inc.

SO ORDERED.

Signed: August 31, 2022


Robert J. Conrad, Jr.
United States District Judge

